

*Minutes*  
*Klamath Fishery Management Council Meeting*  
*February 22-23, 2001*  
*Yurok Tribal Office*  
*Weitchpec, CA*  
*Meeting #63*

**February 22, 2001**

**Agendum 1. Convene and Introduction of Members**

**Representative Seat**

California Commercial Salmon Industry  
California In-river Sport Fishing Community  
California Offshore Recreational Fishing Industry  
California Department of Fish and Game  
Hoopa Valley Tribe  
National Marine Fisheries Service  
Non-Hoopa Indians Residing in Klamath  
Conservation Area  
Oregon Commercial Salmon Fishing Industry  
Oregon Department of Fish and Wildlife  
Pacific Fishery Management Council  
U.S. Department of Interior

**Members Present**

Dave Bitts  
Not present  
Paul Kirk  
LB Boydstun  
Mike Orcutt (alternate for Leonard Masten, Jr.)  
Dan Viele  
Dave Hillemeier  
  
Scott Boley (alternate for Keith Wilkinson)  
Steve King  
Hans Radtke  
Mary Ellen Mueller (chair)

The following members were not present: Virginia Bostwick (California In-river Sport Fishing Community). Mike Rode stood in for LB Boydstun for the morning session the first day.

Other speakers: George Kautsky, Jennifer Silveira, Scott Barrow, Randy Brown, George Guillen, Kim Rushton, Mark Hampton, Wade Sinnen, Jim Welter, E.B. Duggan (*see Attachment #1*).

**ADMINISTRATION**

**Agendum 1. Review and approval of agenda**

Members reviewed the agenda, and Dave Hillemeier asked that an item be added (Agendum 9a) so that he could address the Biological Assessment for coho salmon in the Klamath River. The members informally approved the agenda as amended.

**Agendum 2. Adoption of minutes from October 2000 meeting**

The adoption of the minutes (*Handout A*) was moved to the March meeting to give members a chance to review them.

### **Agendum 3. Review Handouts**

Jennifer Silveira reviewed the handouts (*see Attachment #2*).

### **GENERAL**

### **Agendum 4. Klamath Task Force Update**

Mike Rode reviewed the following highlights of the February Klamath Task Force meeting, held February 8-9, 2001 in Brookings, Oregon.

- The U.S. Geological Survey (USGS) reported that gauges on the Shasta and Scott rivers will be funded this year, but the California Department of Fish and Game budget proposal of \$45,000 for gauge funding in perpetuity was rejected. The Klamath Flow Study has received \$750,000 in funding for tributaries as well as the mainstem. National Marine Fisheries Service (NMFS) Endangered Species Act (ESA) recovery planning and the formation of recovery teams for southern Oregon and northern California is moving forward.
- The presentation by Bruce Halstead of the U.S. Fish and Wildlife Service (USFWS), reported that no outmigrating steelhead juveniles were recovered at the Big Bar outmigrant trap, although there has been an upswing in steelhead fishing, especially half-pounders and adults. He described the fish kill in the Klamath River last June. USFWS will be studying the residualization of steelhead below Iron Gate Dam and the interaction between hatchery and natural steelhead populations.
- Watershed/sub-basin groups gave presentations to the Task Force. The Salmon River Sub-basin representative reported low numbers of spring chinook, summer steelhead and fall chinook. This is most likely due to a problem in the mainstem that is affecting all tributary populations.
- The Task Force did not pass a budget or recommendations, but did pass the administrative portion of the budget and the \$10,000 set-aside for assistance to the Technical Work Group (TWG). There will be a special budget sub-committee meeting before the Task Force's June meeting in Klamath Falls.
- The Task Force meeting also covered the mid-term evaluation recommendations regarding the long-term plan for the Task Force, an overview of the Klamath Hydroelectric Project re-licensing, the mega-table data collection, stock prediction and harvest allocation. Dr. Hardy of Utah State University was scheduled to make a report on his Klamath flow study but was unable to attend the Task Force meeting due to weather.

KFMC members also discussed the NMFS public meetings regarding the reconsideration of ESA listing of Klamath Mountains Province steelhead, as ordered by a federal court. Dan Viele said NMFS requested more time to review information; however, the court has ordered a listing decision date of March 31, 2001.

**Agendum 5. Trinity Task Force Update**

Mary Ellen Mueller gave an update on the Trinity Task Force, which met for its final time February 8, as its charter expired February 12. The focus was establishing a stakeholder group under a new charter, which is now being circulated among agencies. A new group, the Trinity Management Council (TMC) (*see organizational chart, Handout B*) will carry out the Trinity Record of Decision (ROD), but is advised by working groups, including the Trinity Adaptive Management Working Group, Independent Review Panels (including a scientific advisory board) and an Adaptive Environmental Assessment and Management Team. The TMC held its first meeting February 21 to finalize funding for 2001 and review the charter. The TMC will circulate a draft position description for an executive director and begin advertising within the month.

**Member Comments**

- Dave Bitts expressed concern about dissolving one group to form two groups and asked for the definition of a stakeholder group. Mary Ellen Mueller responded that the new group will be similar to the old group; it makes budget decisions and bring recommendations to the TMC. Anyone can serve on the stakeholder group. The TMC carries out the ROD, and its meetings are not open to the public.
- Dave Bitts expressed concern about closed meetings and added he believes the public has too often been marginalized. Mary Ellen Mueller said the public will have as much opportunity for input as before.

**Agendum 6. Pacific Fishery Management Council (PFMC) Update**

Hans Radtke said the PFMC's briefing book was being released that same day, therefore he was unable to give a full report. However, he said overall there was a good salmon season in the ocean. California had one of the best years, although prices were about average. Oregon had a good season. The Columbia River had high hatchery returns for chinook and coho. We are feeling the effects of low Oregon Coastal Natural (OCN) coho spawner returns from two years ago-- the third lowest year on record for OCN spawners. He said that when ocean conditions and/or OCN spawning returns are poor, the PFMC most likely will not allow greater than 8% take on OCN's. Steve King added that the projected abundance of hatchery coho this year is 1.7 million, mostly originating in the Columbia River; this is the highest return since 1991. The forecasted abundance of OCN coho is 50,000. This is a high abundance of hatchery coho, but a low number of OCN's. If ocean impacts are constrained as they have been the last several years, and if the forecast is accurate, we can expect 1.3 million hatchery coho to enter the Columbia River. Oregon Department of Fish and Wildlife (ODFW) has received guidance from the Oregon Fish and Wildlife Commission that the take must be less than 8%. Oregon is having its Ocean Salmon Industry Group informational meeting March 1 in Newport, Oregon.

**Member Comments**

- Scott Boley asked about the situation north of Cape Falcon, Washington and Puget Sound. Steve King said the stocks north of Falcon have rebounded but that OCN's will be a constraining factor. Scott Boley

expressed concern about the hatchery stock diluting OCN impacts. Hans Radtke said that NMFS stance on transboundary coho stock will complicate matters. Dan Viele said NMFS would be unlikely to permit a higher exploitation rate on transboundary coho than the OCN rate.

- Responding to Mike Orcutt's question about the reliability of the abundance predictor, Steve King said it is variable. He thinks the 50,000 OCN forecast is low.

### **Agendum 7. Federal Energy Regulatory Commission (FERC) Re-licensing of Iron Gate Dam**

Randy Brown, Arcata Fish and Wildlife Office (FWO) explained his role regarding the FERC re-licensing of the Klamath Hydroelectric Project. He gave a brief history of the events leading up to the 2006 re-licensing. FERC issues hydroelectric licenses for 30-50 years; Iron Gate's original license was in 1956. The re-licensing is a five-year process, which was initiated in Sept. 2000, when PacifiCorp notified FERC it would apply for re-licensing. FERC conducted site visits with agencies and tribes. In December 2000 PacifiCorp issued its first-stage consultation document, which describes the facility and its impact on fish and wildlife, and includes additional information (recreational, economic, etc.). A series of meetings was held to allow public to comment; the deadline for providing comments is March 27, 2001. Randy Brown said that the current focus is gathering comments on the PacifiCorp document. Based on these comments, PacifiCorp has two years to conduct field studies to research the effects of their project on resources. During the third year, they will release a draft application for public review.

### **Member Comments**

- Mike Rode asked about deadlines for public comments. Randy Brown said that agencies and the public can continue to comment during the process, but his impression is that PacifiCorp is going to stick closely to the deadline dates. He believes PacifiCorp will make agencies justify any studies they ask for, as the company has not offered any studies regarding impacts. They are taking the position that their project has no impact downstream of Iron Gate Dam.
- Dave Bitts said that at the hearing in Eureka, PacifiCorp maintained they have no control over the flows. Randy Brown said he assumed that tribes and agencies disagree, and he assumes this will go through FERC's dispute resolution process.
- Mike Rode said because re-licensing is for 30 to 50 years, the decision will affect us for a lifetime. He urged the KFMC to go on record commenting on the Stage One Document. The Task Force plans to write a letter. Dave Hillemeier said he is drafting a comment letter for the PFMC that could be modified for the KFMC. Comments are extremely important, to stay in the loop.
- Hans Radtke made several comments, including details of a judge's ruling on water flows on the lower Snake River. He said two factors are influencing PacifiCorp's behavior: 1) takeover of PacifiCorp by a Scottish power company and 2) relicensing of the North Umpqua, a multi-dam project with six or seven facilities on

U.S. Forest Service (USFS) property. Here FERC's collaborative process was used rather than the traditional process, which stretched a 5-year process out to 9-10 years. The process came to an impasse, because the USFS insisted that the Soda Springs Dam be removed. PacifiCorp said they would provide fish passage over the lower dam but not remove it. The Wild and Scenic Rivers Act will have more of an impact on the Klamath re-licensing.

**Assignment:** Dave Hillemeier will modify the draft letter he is preparing for the PFMC regarding the relicensing of the Klamath Hydroelectric Project for review by KFMC members at the March 2001 meeting. Yreka FWO Staff will distribute this draft letter to members before the March meeting.

### **Agendum 8. Klamath River Flow Study**

George Guillen, Arcata FWO, explained the background of the Flow Study. The USFWS asked Congress for \$4.5 million to fund the study, and received \$750,000 funding for 2001, its first year. (*See Handout C Klamath Flow Study Briefing*) The Flow Study was developed by the Task Force's Technical Work Group (TWG) and is meant to be a five-year process to identify limiting factors and establish the connection between flow regimes and fish habitat. USFWS is the lead agency but is collaborating with tribes, states, local and other federal agencies, as well as watershed groups. Future funding depends on the USFWS and other agencies demonstrating contributions towards completing components of the flow study. John Engbring, USFWS and Task Force Chair, has spoken to members of other agencies looking at future funding. George Guillen described the series of meetings that began in Nov. 2000. The last meeting in January resulted in a list of projects, ranked in order. (*See Handout D, Flow Study Project Ranking*). USFWS may hire a coordinator to facilitate administration between the Yreka and Arcata offices. Projects ranked #1 are recommended to be funded this year.

### **KFMC Member Comments**

- Dave Bitts said he would like to add something to Handout C. Under "beneficial effects of flow study when completed," he would add the enhancement of ocean fisheries from Cape Falcon to Point Sur.
- Steve King asked if Project #4, green sturgeon, would be funded the year. George Guillen responded that #4 is right on the line, and it depends on how much money is left over. Steve King said this would be money well spent, since less is known about green sturgeon than any other species, and the Klamath is the center of production. The article from the November 2000 journal of the American Fisheries Society, on endangered stocks (*Handout E*), recommends listing it as an endangered species. Flow and temperature keep green sturgeon production up, and this needs to be validated. Research is being done on the Rogue and Umpqua rivers and may move to the Coos Bay estuary. Both white and green sturgeon are caught in the ocean troll fishery.

Mike Rode said it is disappointing that Bureau of Reclamation (BOR) has de-funded so many projects. Mike Orcutt asked about peer review and stressed the need to involve all entities, even those in possible opposition. George Guillen said that water users were invited, and local watershed groups participated in the

ranking. He added that the Flow Study would welcome any support from the KFMC.

### **Agendum 9. Update on Long-Term Environmental Impact Statement (EIS) for the Klamath Project and 2000 Operations**

Dave Hillemeier gave a brief review of the EIS being developed by BOR. The FERC alternative and the historic alternative have been eliminated from the EIS, because they prescribed Klamath River flows less than the currently accepted operational requirements for the Klamath River. BOR is waiting for further information from the Hardy Phase 2 report regarding instream flows in the Klamath River before putting in flow numbers. Hardy Phase 2 is expected in late March/early April. With that information, the hope is to finalize the draft alternatives, get feedback and develop final alternatives. The projected target for the final EIS is February 2003. Dave Hillemeier said he will bring more dates to the March meeting.

### **Agendum 9a. Biological Assessment (BA) for Coho Salmon in the Klamath River**

Dave Hillemeier said the BA for this year's operation of the Klamath Project is no longer a draft and has been sent by BOR to NMFS. It includes different water year types and gives minimum flows for the types, with most flows for all water types below FERC minimums. He asked the KFMC to consider writing a letter to BOR, with a cc to NMFS, expressing concern about this, especially given that the precipitation we have received this water year is 38% of the average.

### **Member Comments**

- Dave Bitts asked if delaying final publication delays the legal obligations regarding ESA considerations. Dave Hillemeier said no, and that it was very disappointing that these options were proposed this year.
- Hans Radtke said new ideas are needed such as economic incentives for leasing water rights. Mike Rode mentioned the land idling pilot program in Klamath Falls, which may help. The BA for suckers that USFWS is reviewing will recommend holding Upper Klamath Lake at a higher level. There will be serious conflicts between the two BA's and irrigation. NMFS and USFWS will have to resolve this.

**Assignment:** Yreka FWO Staff will add an agenda item to the March KFMC meeting to discuss submitting a letter to BOR commenting on the Biological Assessment of Klamath coho. Dave Bitts will work with Dave Hillemeier to draft this letter.

### **Agendum 10. Monitoring of Trinity River Fish Populations Funding**

Mary Ellen Mueller explained that this was placed on the agenda because of concerns about a loss of BOR funding for Trinity monitoring. To avoid a loss of funding, at their February 21 meeting the TMC put all the money in a single pot, and projects will be funded according to the priority established by the Trinity River Technical Advisory Committee. Mike Rode said the BOR didn't believe it had the responsibility to fund harvest monitoring. Mary Ellen Mueller reiterated that projects that need to be funded will be funded. Mike Orcutt said

watershed restoration is part of the ROD and that state monies could be used down to the South Fork of the Trinity.

#### **Agendum 11. Public Comment**

There was no public comment.

#### **Technical Advisory Team (KRTAT) Reports**

#### **Agendum 12. Spring chinook Management**

George Kautsky, KRTAT Chair and Hoopa Tribal Fisheries Department, said he is still obtaining information from Alan Olson, USFS, on spring chinook that enter the Salmon River tributaries and on the age structure of the natural component in Salmon River. The stock strength of the hatchery run has been forecasted. Last meeting Dave Hillemeier requested the KRTAT look into the feasibility of using the new fall chinook cohort reconstruction model for spring chinook. The fall chinook cohort model is not finished, so the first priority is to complete that. Mike Orcutt said the data still needs to be put together, and this may take time. He asked if some spring chinook management objectives could be put in place pending analysis of that data. George Kautsky questioned whether fall chinook management alone is adequate to protect spring chinook. He is seeing red flags in the natural populations that are not doing well, and there are ecosystem problems in the mainstem Klamath. Mike Rode said the Salmon River situation is a puzzle, and the downward trend continues there with spring and fall chinook. He suggested outmigrant sampling on the Salmon River, as well as water quality monitoring, to rule out that river as a source of the decline. Dave Hillemeier suggested a subcommittee meet during the KFMC March meeting to discuss this issue. Members discussed the best way to incorporate this subcommittee into the Harvest Allocation Work Group (HAWG).

**Motion: Dave Bitts moved to create a Spring Chinook Subcommittee. Members would include representatives from tribes, states and sport and commercial fishing communities. Mike Orcutt amended this to include a NMFS representative. The charge of the subcommittee will be decided at this meeting and included as an agenda item for the March KFMC meeting. The motion passed unanimously.**

**Motion: Dave Bitts moved that the Spring Chinook Subcommittee is the HAWG.  
The motion passed unanimously.**

**Assignment:**

Dave Bitts and Dave Hillemeier will develop the mission of the Spring Chinook Subcommittee (HAWG), and report their preliminary ideas at the March KFMC meeting.

**Assignment:**

Yreka FWO Staff will add the Spring Chinook Subcommittee (HAWG) to the March KFMC agenda.

**Agendum 12a. Update on Other KRTAT Activities**

George Kautsky said the KRTAT has been working on revising the Klamath Ocean Harvest Model (KOHM) for the 2002 season: the coded wire tag recovery database, the cohort re-construction, and subroutines in the ocean harvest module. This month the KRTAT did the ocean stock abundance projection. Spring chinook has received less attention, but more information may be available by summer 2001.

Paul Kirk asked if the revised KOHM will be run this season parallel with the old model in order to test its performance. George Kautsky suggested talking to Michael Mohr about this. Later, Michael Mohr said it would not be wise to do so during the season, but hindcasting would be done during summer.

During lunch, Mike Orcutt gave a presentation on the Hoopa Tribal Fisheries Monitoring Program 2000.

**2000 Management Season**

**Agendum 13. Report on 2000 Fall chinook Returns to the Klamath River**

Mark Hampton, California Department of Fish and Game (CDFG), who took over Mark Pisano's position as head of the Klamath River Project in Yreka, gave a summary of how spawner estimates are gathered, which he said was a cooperative effort. He commended the efforts of all those involved, especially volunteer groups. The data are compiled in the "Mega-table".

He said the Mega-table is broken down as follows: natural escapement, hatchery escapement, and in-river harvest. Methods used include creel surveys, weir counts, carcass surveys and fish marking weirs. Physical data (i.e. species, sex, length, scales, marks) is collected at weirs. He described the Shasta River video weir and the Bogus Creek fish marking station that both collect data for run size estimates. On the Salmon and Scott rivers, because there are no weirs, spawning data is based only on carcass recoveries. At the hatcheries there is a direct count of all fish.



The preliminary run size (before scale analysis) is 227, 454, broken down as follows:

36,500 – in-river harvest (sport and tribal)

99,523 - hatchery return

88,842 - natural return (the 3<sup>rd</sup> highest grilse return in history.)

The natural run had a much higher percentage of grilse than the hatchery run. The Shasta, Scott and Salmon rivers all had high grilse returns.

The preliminary findings show that this was the largest run of adults since 1978; however, the majority of the run was composed of hatchery produced fish. Returns of naturally produced adult chinook salmon were near average for all major tributary streams except the Salmon River (63% of average) and Shasta River (197% of average).

### Member Comments

- Dave Hillemeier asked about escapement on Bogus Creek. Mark Hampton said the creek seems to be a vital contributor to natural production. Preliminary analysis shows 63% of Bogus fish may be hatchery origin. The CDFG plans to update the Mega-table with age structure data from the KRTAT, and these will be given to KFMC members.
- Dave Bitts asked about the extent of fish that return to Iron Gate that did not originate there. The answer to that is unknown.

Kim Rushton, Iron Gate Dam Hatchery Manager, gave preliminary numbers on hatchery returns. (*See Handout F*). He summarized how the hatchery is managed. He said that 1995 saw a large adult chinook return, and the hatchery was not prepared to handle the fish that came up the ladders, so they closed the ladders at times. Otherwise, he said, the ladders were always kept open. Before the auxiliary ladder was built (near Bogus Creek), more fish strayed, because they did not want to wait to go up the hatchery ladder. He also described the electroshock system that was installed three years ago. He said the hatchery's current mitigation goals are 6 million chinook: 4.2 million smolts and 1.9 million yearlings.

Kim Rushton said coho are released from the hatchery in late March and steelhead in late April. The hatchery tries to get them out earlier if river temperature is a problem. After the fish kill last summer, and meetings with NMFS and CDFG, the hatchery is trying different release strategies with steelhead and smolts. They are in the process of marking steelhead now. The Steelhead Research and Monitoring Project is exploring using a different clip. Ten percent of steelhead are being tagged with individual PIT tags that are read by an electronic wand. They will try volitional release of steelhead, with the fish being video-counted and the PIT tags read as they leave. The hatchery is tagging different groups of chinook smolts and letting some go early, and using a timed release system to spread out the remaining releases.

### Member Comments

- Scott Boley asked for clarification on the PIT tag and was told the system works like a bar code and is not a transmitter on the fish.
- In response to his question about marking yearlings, Dave Hillemeier was told they will be marked.
- Kim Rushton said about 4000 adult females are needed for egg collection. The goal is to get smolts to an average of 90 to the pound and yearlings to an average of 8-10 to the pound. Wade Sinnen said it is cheaper to raise smolts, but more yearlings return, so the end cost per returning adult is about the same

Members discussed the issue of surplus of returning adults. Kim Rushton explained that the hatchery surplus is given away at no charge to a number of groups: prisons, food groups, etc. The CDFG contracts with Amer-Canadian Fisheries Company to fillet and flash-freeze the surplus fish and send the fillets to Food Link, a food bank in Sacramento. Amer-Canadian Fisheries keeps the roe and rest of the carcasses.

#### **Agendum 14. Reports on 2000 harvests (supplement to information at October 2000 meeting)**

Dave Bitts gave a brief report on California troll harvest at the October meeting based on preliminary numbers. Those numbers have been revised downwards. There was a 7% increase in effort, and a 40% increase in landings over 1999.

Steve King reported on Oregon harvests. There were 3 coho selective fisheries-one fishery off the Central Coast, a sport fishery at the mouth of the Columbia River, and a troll fishery off the mouth of the Columbia. (*See Handout G: Summary of 2000 Oregon Salmon Fisheries*). The pre-season harvest estimate was close to the post season estimate. Compliance with the regulations has been good, with very few violations for possession of fin-clipped coho. The troll fishery had 4-day fishing periods and a 300 coho landing limit. Fifteen to 20 fishermen participated with a quota of 23,000; most of that was managed by the fifth fishing period. Price per pound was \$1.

LB Boydston referred to Table 1-4 in a handout (*Handout H: Salmon Fishery Informational Meeting Packet*) listing commercial troll and recreational catches. Catch of chinook salmon was 429,200, the third largest catch in 10 years. It was a good year for commercial fishermen with a 10.5 pound average. Most of the fish were caught south of Point Reyes, because there is little commercial fishing north of that. For recreational fishing, this was a good year with 208,700 salmon trips and 0.9 salmon per angler trip. The Central Valley had .5 million spawning salmon: this was a 30-year record. Constraints on fisheries have had a major impact on returns. Overall, there was 25% more effort and a substantially larger catch. Regarding the in-river sport fishery, the fishery was under its quota. There were some closures to meet the quota, but it was a good year.

Paul Kirk reported on the Klamath Management Zone (KMZ) fishery. He said there are two different worlds in the KMZ, because Klamath River south is in a different weather area than Brookings north. It is difficult to achieve parity, but in 2000 we did. Overall, there was 25% more effort, and a substantially larger catch.

Mike Orcutt outlined the Hoopa Tribal Fisheries chinook harvest. (*See Handout I: Hoopa Tribal Fisheries 2000*). He said there were anomalies in the separation of fall and spring tags, because spring tags were recovered well into September.

Scott Barrow, KRTAT, explained the table in his handout (*See Handout J: KRTAT Tables*) that compared pre-season Klamath harvest projections with post-season harvest estimates for 2000 as follows:

- Age 3: 19,480 pre-season versus 38,000 post-season.
- Age 4: preseason was very close to post-season
- Klamath Harvest rates for age 3: 11% pre-season versus 8% post-season
- Klamath Harvest rates for age 4: 13.8% pre-season versus 12.3% post-season.

Dave Bitts remarked that without the greater under prediction of Age 3 fish north of the KMZ, sharing between California and Oregon would have hit the planned North/South ratio.

### **2001 Management Season**

#### **Agendum 15. Report on 2001 Fall chinook Stock Size Projections**

George Kautsky gave a short presentation on the Ocean Stock Size Projection for Klamath River Fall Chinook 2001 Season (*See Handout K*). He described the stock prediction process. He described the two sources of information used to figure out the age-2 component: 1) scales collected from fisheries and agencies and 2) coded wire tags that provide validation of the scale analysis. The KRTAT decides on the best methods to estimate age-2 fish and to break the adult numbers down into age-3s, age-4s and age-5s. He said the return of age-2 fish was mediocre (10,202), but the return of age-3 fish was up (187,000).

The year 2001 projected ocean abundance of Klamath River fall chinook salmon is 93,548 age-3 fish and 197,555 age-4 fish. The preliminary estimate of the 2000 abundance is 478,000 age-3 fish and 37,000 age-4 fish, contrasting with their pre-season forecast of 174,800 age-3 fish and 31,100 age-4 fish. The preliminary estimate of the 2000 ocean harvest rate on age-4 fish is 12%.

Absent fisheries in 2001, the predicted stock strengths would be a 2001 spawning population of 219,3000 adult fish, of which 138,200 would be expected to spawn in natural areas. With fisheries operating under a maximum spawner reduction rate of 2/3, a natural spawner floor of 35,000, a 50% harvest share for the tribes and 15% of the non-tribal harvest allocated to the river recreational fishery, the Harvest Rate Model (HRM) projects a spawning population of approximately 71,200 adults, of which 44,900 would be expected to spawn in natural areas. George Kautsky summarized the total harvest projected by the HRM under this scenario as 158,00 adults, allocated as follows: Tribes-79,000, River Sport-11,900 and Ocean Troll/Sport-67,200. The corresponding age-4 ocean and river harvest rates are 25.8% and 57.9% respectively.

LB Boydston pointed out that this year is similar to 1996, when the large 1995 age 3 return led to an over-prediction of age 4 fish in 1996. He urged caution.

#### **Agendum 16. California Fish and Game Commission Update**

LB Boydston referred to the letter from the California Fish and Game Commission regarding regulatory changes in sport fishing regulations beginning summer 2001 on the Klamath River. (*See Handout L*) The letter outlined the Commission's decision on a tentative allocation of 15% of the non-tribal share to be set aside for the in-river sport fishery, and a provision in the event the ocean fisheries are not able to harvest their full allotments. In that case, as happened in 1999, any additional adult fish returning to the river would be allocated to the in-river sport fishery. The Commission will hold public meetings on this issue on March 26 and 27.

Dave Hillemeier and LB Boydston discussed potential in-season triggers and potential harvest rate management regimes for in-river fisheries. They encouraged the KRTAT and the KFMC to explore the idea of making in-season adjustments.

#### **Agendum 17. Results of Discussions on Methods for Sharing Ocean Commercial Harvest Between Oregon and California**

Dave Bitts recommended tabling discussion on this issue during the management cycle. Scott Boley concurred that this is not a pressing issue.

#### **Agendum 18. Other Issues and Considerations Affecting 2001 Harvest, including Endangered Species Act Constraints**

Members said that depending on whether LB Boydston puts a conservative spin on the projection, there is a strong possibility that ocean fisheries will be unable to use their share. The protocol must be consulted to see what to do in this case. According to the Coastal California chinook Biological Opinion, there is a 17% cap on the Coastal California chinook exploitation rate. The KRTAT's run of the HRM shows more than 20%. Dan Viele discussed constraints for Coastal California chinook and Sacramento winter-run chinook. With respect to coho, the PFMC objective is not different than the Biological Opinion, allowing a 15% exploitation rate, but the PFMC has recommended exploitation rates of 8-9% the last few years. Guidance from the OCN work group is 0-8%. With respect to Southern Oregon/Northern California (SONC) coho, those rates have always been lower than OCN rates. Members discussed why NMFS wants to lower rates on OCN's but not on SONC fish; the response is that these rates are already low. If fisheries were designed to put more impacts into the KMZ, NMFS would recommend the rates not exceed 8%.

#### **Assignment:**

Yreka FWO Staff will find the protocol developed by the HAWG for what happens when ocean fisheries cannot harvest their full allocation; this will be included in the March KFMC Meeting.

**Agendum 18a. Charge to HAWG**

This item was moved to the following day. Dave Hillemeier and Dave Bitts developed the charge of the Spring Chinook Subcommittee, as follows:

- Summarize the available information regarding the status of Klamath-Trinity spring chinook stocks,
- Assess fishery impacts to Trinity River Hatchery spring chinook stocks, and
- Draft spring chinook management objectives.

**Agendum 19. Public Comment**

There was no public comment.

February 23, 2001

## Reconvene

Steve King (Oregon Dept. of Fish and Wildlife) and Virginia Bostwick (California In-river Sport Fishing Community) were absent.

### **Agendum 20. Action Item: Develop a Range of Options for Presentation to the Pacific Fishery Management Council and Other Agencies**

Members discussed what input to provide to the PFMC, including whether to take a more conservative approach. LB Boydstun referred to the March 2000 KFMC recommendations to the PFMC (*See Handout M*) and suggested using this document as a starting point. He suggested the KRTAT do an alternative age-4 stock projection by running the regression line through the 1992 data point, since 1992 had a higher age-3 maturity rate than other “power brood” years. Age-4 fish will drive the model in 2001, and this would show us a worst-case scenario if our predictor has over-predicted. He also suggested the KRTAT look at using the hatchery/natural ratio from 2000 versus the 5-year average. Dave Hillemeier suggested looking at past age-3 “power brood” years to see if there is some relationship that would justify using a more conservative prediction. Dan Viele agreed.

LB Boydstun said that if the KFMC agrees on an alternative stock projection, and gives an explanation for this, the PFMC would agree to it. Mike Orcutt said the KFMC could make a policy call to build a conservative approach into the process, if the data support this. LB Boydstun said he requests this analysis to be sure no factor is overlooked. With public scrutiny focussed on listed species, the Trinity ROD, and fishery management in general, the KFMC’s decision path should be documented. Scott Boley said it is appropriate to consider sideboards, especially for the natural component. Dave Hillemeier said the tribes have always advocated conservation if a good quantitative reason exists.

LB Boydstun asked members to come to the March KFMC meeting prepared to make decisions based on this discussion. He said he would write up a draft provision for reallocation of surplus fish from the in-river sport fishery to the tribal fisheries. A mechanism could be put in place to assess the recreational catch and then roll over surplus fish to the tribes. He also suggested that the HAWG discuss the use of surplus hatchery fish as a possible source of funding for research and management. Dave Bitts said he is concerned about the sale of surplus hatchery fish damaging the market for wild-caught salmon.

Members discussed the existing protocol for rolling over an ocean surplus. Mike Orcutt suggested the staff research actions taken in past surplus years. Dan Viele said NMFS would want to be provided with a record of any in-season adjustment and the expected effect on natural spawning escapement. Scott Boley said he did not see anything in the Solicitor’s Opinion ruling out mutually beneficial arrangements when each party’s concerns are being addressed. He stressed that the spirit of the KFMC is cooperation not competition.

Mike Orcutt said he appreciates CDFG's role in working to increase Klamath flows, and would like to see the State of Oregon be more involved.

**Assignment** Yreka FWO Staff will prepare the Solicitor's Opinion as a handout for the March KFMC meeting

Members should come to the March KFMC meeting prepared with ideas on updating the 2000 KFMC Recommendations to PFMC. Ideas should include whether (or how) to include mechanisms to roll over non-tribal surplus to the tribes.

**Assignment:**

After the April KFMC meeting, the HAWG will discuss ways to achieve full utilization of hatchery fish.

**Assignment:**

KRTAT will run 1) the harvest rate model using an age-4 stock prediction derived by running a regression line through the 1992 data point, and 2) run the harvest rate model using the actual hatchery/natural ratio from 2000 and 3) run the harvest rate model using both of the above.

**Assignment:**

KRTAT will conduct an analysis to see whether a large age-3 return leads to an over-prediction of age-4 fish. KRTAT will also look at whether a large hatchery return changes the hatchery/natural ratio, and if so, whether to use the five-year average hatchery/natural ratio this year.

**Assignment:**

KRTAT will run the KOHM using this year's stock's prediction with last year's option.

**Agendum 21. Public Comment**

- Jim Welter, Port of Brookings, criticized the KFMC for not developing options at this meeting, and for considering last-minute changes in the process. The KMZ Coalition would like to have the options to discuss at their upcoming meeting. He added that the extremely dry conditions projected for this year will be a problem. He recalled the 1980's drought conditions that produced spawner escapements of more than 100,000 fish but no productivity. He concluded by saying that he agrees with the concept of cooperation, and he praised the KFMC overall.
- E.B. Duggan, Trinity River Fishing Community, pointed out that fishing creates a \$.5 million economy for Junction City and Weitchpec. He asked the KFMC to support establishing a spring chinook season. This could start Memorial Day, run through mid-July and would benefit the businesspeople and tribes more than staggered opening dates. He suggested a limit of 2 fish per day, 4 in 7 days with a salmon punch card. This would help bring in more tourists but limit locals from overfishing. He added that he does not support listing for the steelhead. He concluded by saying he supports the KFMC's studies to determine flows for fish and

for spawning in order to avoid major fish kills like the one in 2000. The deadline for submitting comments about steelhead listing is March 5, 2001.

**Agendum 22: Continued from Agendum 20:**

After discussing what portion of a range of options they could agree upon at this time, the members decided it would be more productive to wait for the KRTAT to report back on their assignments at the March meeting before trying to fill in the range of options matrix.

**Agendum 23: Review of Motions and Assignments**

Jennifer Silveira reviewed the motions and assignments. (*See Attachment #3.*)

**Agendum 24: Assignments to the KRTAT**

KRTAT members were given a list of assignments. (*See Attachment #3.*)

**Agendum 25: Agenda for next meeting: March 4, 2001 in Portland, Oregon**

The agenda was briefly discussed. LB Boydstun said that staff had agreed to lend out the KFMC's meeting room for a State Commissioners' meeting on Tuesday March 6, so the KFMC would only be able to meet at lunch time and after 4:30 on that day. Regarding future February KFMC meetings, LB Boydstun said in the future he would like to use the forum of the February meeting to give out information to fishermen in the northern California area (similar to the Salmon Informational Meeting in Santa Rosa), and he would like to discuss this further. Members were asked to review the October KFMC meeting minutes for approval on the March agenda. Mary Ellen Mueller thanked the Yreka FWO for their work and the Yurok Tribe for the use of their beautiful building and for the lunches prepared by the community.

Assignment: Yreka FWO Staff will put approval of the October 2000 meeting minutes on the March agenda.
--



***Attachment #1  
PARTICIPANTS  
Klamath Fishery Management Council Meeting  
February 22-23, 2001  
Yurok Tribal Office  
Weitchpec, CA***

**Members****Representative Seat**

California Commercial Salmon Industry  
 California In-river Sport Fishing Community  
 California Offshore Recreational Fishing Industry  
 California Department of Fish and Game  
 Hoopa Valley Tribe  
 National Marine Fisheries Service  
 Non-Hoopa Indians Residing in Klamath  
 Conservation Area  
 Oregon Commercial Salmon Fishing Industry  
 Oregon Department of Fish and Wildlife  
 Pacific Fishery Management Council  
 U.S. Department of Interior

**Members Present**

Dave Bitts  
 Not present  
 Paul Kirk  
 LB Boydston  
 Mike Orcutt (alternate for Leonard Masten, Jr.)  
 Dan Viele  
 Dave Hillemeier  
  
 Scott Boley (alternate for Keith Wilkinson)  
 Steve King  
 Hans Radtke  
 Mary Ellen Mueller (chair)

The following members were not present: Virginia Bostwick (California In-river Sport Fishing Community). Steve King (Oregon Dept. of Fish and Wildlife) was present the first day but not the second. Mike Rode stood in for LB Boydston for the morning session on the first day.

**Other Speakers:**

Scott Barrow, KRTAT, California Dept. of Fish and Game  
 Randy Brown, Arcata FWO  
 E.B. Duggan, Trinity River Fishing Community, Willow Creek Chamber of Commerce  
 George Guillen, Arcata FWO  
 Mark Hampton, California Dept. of Fish and Game  
 George Kautsky, KRTAT Chairman, Hoopa Tribal Fisheries Dept.  
 Michael Mohr, KRTAT, National Marine Fisheries Service  
 Mike Rode, California Dept. of Fish and Game  
 Kim Rushton, Iron Gate Hatchery Manager  
 Jennifer Silveira, Yreka FWO  
 Jim Welter, Port of Brookings  
 Wade Sinnen, California Dept. of Fish and Game

***Attachment #2***  
***HANDOUTS***  
***Klamath Fishery Management Council Meeting***  
***February 22-23, 2001***  
***Yurok Tribal Office***  
***Weitchpec, CA***

**Handouts**

Agendum 2	Handout A	Draft Minutes, KFMC Meeting, October 25-27, 2000
Agendum 5	Handout B	Trinity River Adaptive Environmental Assessment and Management Organization Structure
Agendum 8	Handout C	Klamath River Flow Study Briefing
Agendum 8	Handout D	Klamath River Flow Study Ranking List
Agendum 8	Handout E	Marine, Estuarine, and Anadromous Fish Stocks at Risk of Extinction in North America (Exclusive of Pacific Salmonids)", <i>Fisheries</i> , November 2000, Vol. 25, No. 11
Agendum 13	Handout F	Iron Gate & Trinity River Hatchery Returns 2000/01 and Appendix Table 2: Summary of Chinook Salmon Runs to Iron Gate Salmon and Steelhead Hatchery
Agendum 14	Handout G	Summary of 2000 Oregon Ocean Salmon Fisheries and Oregon Production Index Coho Projections for 2001
Agendum 14	Handout H	Salmon Fishery Informational Meeting (Packet #1)
Agendum 14	Handout I	Hoopa Tribal Fisheries, 2000
Agendum 14	Handout J	KRTAT Tables: Comparison of Preseason Klamath Harvest Projections with Postseason Harvest Estimates for 2000.
Agendum 15	Handout K	Ocean Stock Size Projections and Prospective Harvest Levels for Klamath River Fall chinook, 2001 Season by KRTAT
Agendum 16	Handout L	Letter from California Fish and Game Commission to Dr. Donald O. McIsaac, Executive Director, PFMC, dated February 14, 2001, regarding allocation of Klamath River fall chinook to the river sport fishery.
Agendum 20	Handout M	KFMC Recommendations to PFMC, dates March 2000.

*Attachment #3*  
**MOTIONS AND ASSIGNMENTS**  
*Klamath River Management Council Meeting*  
*February 22-23, 2001*  
*Yurok Tribal Office*  
*Weitchpec, CA*

**Motions**

Agendum 12: Dave Bitts moved to create a Spring Chinook Subcommittee. Members would include representatives from tribes, states and sport and commercial fishing communities. Mike Orcutt amended this to include a NMFS representative. The charge of the subcommittee will be decided at this meeting and included as an agenda item for the March meeting.  
The motion passed unanimously.

Agendum 12: Dave Bitts moved that the Spring Chinook Subcommittee is the HAWG.  
The motion passed unanimously.

**Assignments to members**

Agendum 7: Assignment: Dave Hillemeier will modify the draft letter he is preparing for PFMC regarding the relicensing of Iron Gate Dam for review by KFMC members at the March 2001 meeting.

Agendum 9: Dave Bitts will consult with Dave Hillemeier to draft a letter to the BOR commenting on the Biological Assessment of Klamath coho.

Agendum 12: Dave Bitts and Dave Hillemeier will develop the mission of the Spring Chinook Subcommittee (HAWG), and report their preliminary ideas.

Agendum 20: Members should come to the March KFMC meeting prepared with ideas on updating the 2000 KFMC Recommendations to PFMC. Ideas should include whether and/or how to create mechanisms to roll over a non-tribal surplus to the tribes.

Agendum 20: After the April KFMC meeting, the HAWG will discuss ways to achieve full utilization of hatchery fish.

**Assignments to staff**

Agendum 7: Yreka FWO Staff will distribute the letter drafted by Dave Hillemeier regarding the re-licensing of Iron Gate Dam before the March meeting.

Agendum 9: YFWO will add an agenda item to the March KFMC meeting to discuss submitting a letter to the BOR commenting on the Biological Assessment of Klamath coho.

Agendum 12: YFWO Staff will add the HAWG to the April KFMC agenda.

Agendum 18: YFWO Staff will find the protocol developed by the HAWG for what happens when ocean fisheries cannot harvest their full allocation; this will be included in the March KFMC meeting agenda.

Agendum 20: Yreka FWO Staff will bring a list of HAWG members to the March meeting.

Agendum 20: Yreka FWO Staff will prepare the Solicitor's Opinion as a handout for the March KFMC meeting.

### **Assignments to the KRTAT**

Agendum 20: KRTAT will run 1) the harvest rate model using an age 4 stock prediction derived by running a regression line through the 1992 data point, and 2) run the harvest rate model using the actual hatchery/natural ratio from 2000 and 3) run the harvest rate model using both of the above.

Agendum 20: KRTAT will conduct an analysis to see whether a large age 3 return leads to an over-prediction of age 4 fish. KRTAT will also look at whether a large hatchery return changes the hatchery/natural ratio, and if so, whether to use the five-year average hatchery/natural ratio this year.

Agendum 20: KRTAT will run KOHM using this year's stock prediction with last year's option.

*Attachment #4*  
**FINAL AGENDA**  
*Klamath Fishery Management Council Meeting*  
*February 22-23, 2001*  
*Yurok Tribal Office*  
*Weitchpec, California*

**February 22, 2001**

8:30 a.m. Convene meeting and introduction of members. Mary Ellen Mueller, chair

**ADMINISTRATION**

- Agendum 1. Review and Approve Minutes.
- Agendum 2. Adopt Minutes of the Meeting Held October 25-27, 2000
- Agendum 3. Review Handouts

**GENERAL**

- Agendum 4. Klamath Task Force Update (Members)
- Agendum 5. Trinity Task Force Update (Mary Ellen Mueller)
- Agendum 6. Pacific Fishery Management Council Update (Hans Radtke)
- Agendum 7. Federal Energy Regulatory Commission (FERC) Relicensing of Iron Gate Dam (Randy Brown)
- Agendum 8. Klamath Flow Study (George Guillen)

10 a.m. Break

- Agendum 9. Long Term Environmental Impact Statement (EIS) for the Klamath Project and 2000 Operations (Dave Hillemeier)
- Agendum 9a. Biological Assessment for Coho Salmon in the Klamath River (Dave Hillemeier)
- Agendum 10. Monitoring of Trinity River Fish Populations (Mary Ellen Mueller)
- Agendum 11. Public Comment

**TECHNICAL ADVISORY TEAM**

- Agendum 12. Spring Chinook Management (George Kautsky)
- Agendum 12a. Update on Other KRTAT Activities (George Kautsky)

12 p.m. Lunch. (Food provided by the Yurok Tribe)

**2000 MANAGEMENT SEASON**

Agendum 13. Report on 2000 Fall Chinook Returns to the Klamath River (Mark Hampton, Kim Rushton)

Agendum 14. Reports on 2000 Harvests, to Supplement information provided at October 2000 Meeting (Members)

**2001 MANAGEMENT SEASON**

Agendum 15. Report on 2001 Fall chinook Stock Size Projections (KRTAT)

Agendum 16. CA Fish and Game Commission Considerations/Update (LB Boydstun)

3:30 p.m. Break

Agendum 17. Results of Discussions on Methods for Sharing Ocean Commercial Harvest Between Oregon and California (Bitts)

Agendum 18. Other Issues and Considerations Affecting 2001 Harvest, including Endangered Species Act Constraints (Members)

Agendum 18a. Charge of Spring Chinook Subcommittee (Dave Hillemeier)

Agendum 19. Public Comment

Agendum 20. Action Item: Develop a Range of Options for Presentation to the PFMC and other agencies. (Members)

5 p.m. Recess

**February 23, 2001**

8:30 a.m. Reconvene

Agendum 21. Public Comment

Agendum 22. Action Item Continued: Develop a Range of Options for presentation to the Pacific Fishery Management Council and other agencies (Members)

10 a.m. Break

Agendum 23: Review of Motions and Assignments (Jennifer Silveira)

Agendum 24: Assignments to the KRTAT (Jennifer Silveira)

Agendum 25: Agenda for next meeting: March 4, 2001 in Portland, Oregon

12 p.m.      Adjourn